

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**Criminal Docket No. 6:19-cr-00258
Civil Docket No. 6:22-cv-00816**

XAVIER HERNANDEZ,
Movant,

v.

UNITED STATES OF AMERICA,
Respondent.

**MOVANT'S MOTION FOR CONTINUANCE
OF MARCH 30, 2023, MOTIONS HEARING**

Clouthier Law, PLLC
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**Attorney for Movant
Xavier Hernandez**

To the Honorable Judge of the Court:

COMES NOW Xavier Hernandez, and files this Motion for Continuance, and in support of his motion, would show the Court as follows:

I.

An evidentiary hearing in this matter is scheduled for March 30, 2023.

II.

An unavoidable scheduling conflict with the current hearing date has arisen making Mr. Hernandez's counsel unavailable for court. Mr. Hernandez respectfully seeks a continuance to April 13, 2023, or the next available date on the Court's docket thereafter.

III.

Stephanie Smith-Burris, Assistant United States Attorney, has no objection to this request.

IV.

This motion for continuance is not brought for purposes of delay, but in the interest of justice.

WHEREFORE, Xavier Hernandez requests the Court to continue

the evidentiary hearing date.

Date: March 28, 2023

Respectfully submitted,

/s/ Susan J. Clouthier

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**ATTORNEY FOR APPELLANT
XAVIER HERNANDEZ**

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2023, a true and correct copy of this motion has been served via the Court's ECF system to all, counsel of record.

/s/ Susan J. Clouthier

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[PROPOSED]ORDER

Having reviewed Movant's motion for continuance, the motion is hereby **GRANTED**. The hearing previously scheduled for March 30, 2023, is hereby rescheduled for _____, 2023, at _____.
SO ORDERED.

Date:

UNITED STATES DISTRICT JUDGE